

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usqio.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/762,728	01/23/2004	Nathan Shtutman	PAT 864-2	5607	
26123 RORDEN I A	7590 04/04/2007 DNER GERVAIS LLP	EXAMINER			
WORLD EXCHANGE PLAZA			BAKER, STEPHEN M		
100 QUEEN S OTTAWA, OI	TREET SUITE 1100 NKIP 119	ART UNIT	PAPER NUMBER		
CANADA			2133		
•			MAIL DATE	DELIVERY MODE	
			04/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment 10/762,728		Application No.	Applicant(s)			
Examiner Stephen M. Baker 2133 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address- This application is abandoned in view of. 1. Applicant's failure to timely file a proper reply to the Office letter mailed on 28 July 2008. (a) A reply was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on to the final rejection. (A) proper reply under 37 CFR 1.13 to a final rejection consists only of: (1) a timely file damendment which places the application in condition for allowance; (2) a timely file Motoco of Appeal (with appall feels) or (3) a timely file Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$\$ is insufficient. A balance of \$\$ is due. The issue fee and publication fee, if applicable, was not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowance (PTOL-85). (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire inte	Notice of Abandonmant	10/762,728	SHTUTMAN ET AL.		ÄL.	
This application is abandoned in view of: 1. □ Applicant's failure to timely file a proper reply to the Office letter mailed on 26 July 2006. (a) □ A reply was received on	Notice of Abandonment					
This application is abandoned in view of: 1. □ Applicant's failure to timely file a proper reply to the Office letter mailed on 26 July 2006. (a) □ A reply was received on		Stephen M. Baker	2133	3		
This application is abandoned in view of 1. Applicant's failure to timely file a proper reply to the Office letter mailed on 26 July 2008. (a) A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee and publication fee, if applicable, has not been received. (c) The issue fee and publication fee, if applicable, has not been received. (d) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 1. The letter of express abandonment which is	The MAILING DATE of this communicat				ldress	
(a) A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of. (1) a timely filed amendment which places the application in condition for allowance (2) at timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.65(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18(h), is \$ The publication fee, if applicable, has not been received. (a) Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowanbility (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 3. He letter of express abandonment wh	•		·			
(A proper reply under 37 CFR 1.113 to a final rejection consists only of. (1) a timely filed amendment which places the application in condition for allowance, (2) at larley filed Notice of Appeal (with appeal fee), or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) ☑ No reply has been received. 2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) □ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is safer the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) □ The submitted fee of \$ is insufficient. A balance of \$ is due The publication fee, if required by 37 CFR 1.18(d), is \$ (c) □ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) □ The issue fee and publication fee, if applicable, has not been received. 3. □ Applicant's failure to timely flie corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) □ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) □ No corrected drawings have been received. 3. □ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. □ The letter of express abandonment which is signed by an attorney or agent of record, the assignee of the entire in	(a) ☐ A reply was received on (with a Certific period for reply (including a total extension of the content of	eate of Mailing or Transmission date time of month(s)) which expi	d), whic red on			
application in condition for allowance, (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR. 1.131, (c)					=	
final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below.	application in condition for allowance; (2) a tim	nely filed Notice of Appeal (with appe	ly filed amendmeal fee); or (3) a	nent which plant in timely filed	aces the Request for	
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(c) ☐ A reply was received on but it does not final rejection. See 37 CFR 1.85(a) and 1.111	constitute a proper reply, or a bona . (See explanation in box 7 below).	i fide attempt at	a proper rep	ly, to the non-	
from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) The submitted fee of \$ is insufficient. A balance of \$ is due.	(d) ⊠ No reply has been received.					
	Applicant's failure to timely pay the required issue from the mailing date of the Notice of Allowance (e fee and publication fee, if applicabl PTOL-85).	le, within the sta	atutory period	of three months	
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c)), which is after the expiration of the stat					
(c) The issue fee and publication fee, if applicable, has not been received. 3 Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below.	(b) ☐ The submitted fee of \$ is insufficient. A	balance of \$ is due.				
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. See The Art Transmission dated and period for seeking court review of the decision has expired and there are no allowed claims.	The issue fee required by 37 CFR 1.18 is \$_	The publication fee, if require	ed by 37 CFR 1	.18(d), is \$		
Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(c) \square The issue fee and publication fee, if applicable	e, has not been received.				
after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	3. Applicant's failure to timely file corrected drawings Allowability (PTO-37).	as required by, and within the three	e-month period	set in, the No	otice of	
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. ☐ The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. Separate and Trademark Office	 (a) ☐ Proposed corrected drawings were received o after the expiration of the period for reply. 	n (with a Certificate of Mailing	g or Transmissi	on dated), which is	
the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(b) ☐ No corrected drawings have been received.					
1.34(a)) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.		d by the attorney or agent of record	, the assignee o	of the entire i	nterest, or all of	
of the decision has expired and there are no allowed claims. 7. The reason(s) below: Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office	5. The letter of express abandonment which is signe 1.34(a)) upon the filing of a continuing application.	ed by an attorney or agent (acting in	a representativ	e capacity u	nder 37 CFR	
Stephen M. Baker Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office	6. The decision by the Board of Patent Appeals and of the decision has expired and there are no allow	Interference rendered on and red claims.	d because the p	eriod for see	king court review	
Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office	7. The reason(s) below:					
Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office	•	•	•			
Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office						
Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office			_<	3		
Primary Examiner Art Unit: 2133 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office			Sten	hen M. Bake	er	
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term. S. Patent and Trademark Office			Prim	ary Examine		
.S. Patent and Trademark Office	Petitions to revive under 37 CFR 1.137(a) or (b), or requests to minimize any negative effects on patent term	withdraw the holding of abandonment u			promptly filed to	
	J.S. Patent and Trademark Office	Notice of Abandonment		Part of Par	per No. 20070330	